

ATTACHMENT B

FOR CONSIDERATION BY THE AIR RESOURCES BOARD AT THE PUBLIC HEARING ON THE PROPOSED AMENDMENTS TO THE CALIFORNIA REGULATIONS FOR NEW 1997 AND LATER OFF-HIGHWAY RECREATIONAL VEHICLES AND ENGINES

PRESENTED AT THE DECEMBER 10, 1998 BOARD HEARING

Staff's Suggested Modifications to the Original Proposal

The originally proposed additions to the regulatory language are shown in underline. The originally proposed deletions are shown in ~~strikeout~~. The suggested modifications to the original proposal are shown in **bold double-underline** to indicate additions and ~~**bold strikeout**~~ to indicate deletions. All proposed modifications will be made available to the public for a fifteen-day comment period.

Amend section 2411(a)(1) of Title 13, California Code of Regulations, Division 3, Chapter 9, Article 3, "Off-Highway Recreational Vehicles and Engines," to read as follows:

Section 2411(a)(1)..... "All-Terrain Vehicle (ATV)" means any motorized off-highway vehicle 50 inches (1270 mm) or less in overall width, ~~with an~~ **unladen dry weight of 600 pounds (275 kg) or less**, designed to travel on four low pressure tires, having a seat designed to be straddled by the operator and handlebars for steering control, and intended for use by a single operator and no passengers. The vehicle is designed to carry not more than 350 pounds (160 kg) payload, excluding the operator, and is powered by an internal combustion engine. Width ~~and unladen weight~~ shall be exclusive of accessories and optional equipment. A ~~go-kart, golf cart or specialty vehicle~~ is not, for purposes of this regulation, to be classified as an all-terrain vehicle. ~~An all-terrain vehicle that is not used exclusively in competition/racing events in a closed course is not a competition/racing vehicle for purposes of these regulations.~~

Note: The above modifications are consistent with language approved by the Board at the October 22, 1998 hearing regarding the emission standards and test procedures for new 2001 and later off-road large spark-ignition engines.

Adopt section 2415(c) of Title 13, California Code of Regulations, Division 3, Chapter 9, Article 3, “Off-Highway Recreational Vehicles and Engines,” to read as follows:

(c) Within five years from the effective date of adoption or date of implementation, whichever comes later, the Air Resources Board, in consultation with the Secretary for Environmental Protection, shall review the provisions of this section to determine whether it should be retained, revised or repealed.

NOTE: Authority cited: Sections 39600, 39601, 43013(b) and 43018, Health and Safety Code. Reference: Governor’s Executive Order W 44-97.

Amend the following sections of the incorporated document “California Exhaust Emissions Standards and Test Procedures for 1997 and Later Off-Highway Recreational Vehicles and Engines” to read as follows:

Section 86.402-78..... “All-Terrain Vehicle (**ATV**)” means any motorized off-highway vehicle 50 inches (1270 mm) or less in overall width, **with an unladen dry weight of 606 600 pounds (275 kg) or less**, designed to travel on four low pressure tires, having a seat designed to be straddled by the operator and handlebars for steering control, and intended for use by a single operator and no passengers. The vehicle is designed to carry not more than 350 pounds (160 kg) payload, excluding the operator, and is powered by an internal combustion engine. Width **and unladen weight** shall be exclusive of accessories and optional equipment. A ~~go-kart, golf cart or specialty vehicle~~ is not, for purposes of this regulation, to be classified as an all-terrain vehicle. ~~An all-terrain vehicle that is not used exclusively in competition/racing events in a closed course is not a competition/racing vehicle for purposes of these regulations.~~

Section 86.416-80(b)(2).. Identification of the curb weight and gross vehicle weight rating of the vehicle (**golf carts only**).

Section 86.416-80(b)(5).. All information necessary for proper and safe operation and maintenance of the vehicle, including recharging information (**golf carts only**), and other relevant information as determined by the Executive Officer (**golf carts only**).

Identification

Staff proposes that the Board direct Staff to modify both the regulatory text and the test procedures to expand the term Vehicle Identification Number (VIN) in section 2411(a), and the use of that term elsewhere in the regulation and test procedures, to ensure that manufacturers that do not now have or will not be able to obtain a federal VIN number for particular engines or

vehicles are required to use an alternative means of identifying the off-road engine or vehicle. Such modifications are to be consistent with requirements of the Department of Motor Vehicles as described in Vehicle Code sections 38040 through 38060.